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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/915,337  | 07/27/2001  | Emmanuel Fuchs       | 212029US2           | 7105             |
| 22850   | 7590        | 06/25/2004           | EXAMINER            |                  |
| OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.<br>1940 DUKE STREET<br>ALEXANDRIA, VA 22314 |             |                      | DAS, CHAMELI        |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 2122                |                  |

DATE MAILED: 06/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                                      |                                     |  |
|------------------------------|--------------------------------------|-------------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>09/915,337 | <b>Applicant(s)</b><br>FUCHS ET AL. |  |
|                              | <b>Examiner</b><br>C.DAS             | <b>Art Unit</b><br>2122             |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 July 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 July 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

***Claim Objections***

3. Claims 3-6 are depended claims. It is not clear from the claim language that claims 3-6 depends on which claims. Appropriate correction is required.

***Drawings***

4. The informal drawings are not of sufficient quality to permit examination. Accordingly, new drawings are required in reply to this Office action.

Applicant is given a TWO MONTH time period to submit new drawings in compliance with 37 CFR 1.81. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a). Failure to timely submit new drawings will result in **ABANDONMENT** of the application.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Goss et al (Goss) , US 4,67,290.

*As per claim 1, Goss et al discloses:*

- one front end that creates an intermediate file by a grammatical and syntactical analysis of the specifications file (col 2, lines 43-46, col 3, lines 25-30, col 4 lines 29-32, col 5, lines 36-44, col 6, lines 40-50)
- the intermediate file comprising a syntactical tree describing data in the specifications file (col 4 lines 29-32, col 5, lines 36-44, col 6, lines 40-50)
- all data extracted from this file ... in the tree (col 5, lines 18-21, col 6 lines 40-50)
- a template defining programming rules associated with each node... generated (col 6, lines 39-50, col 18, lines 32-44)
- a back end generating the output code ... syntactical tree (col 2 lines 61-68, col 3, lines 25-29, col 4, lines 29-32)

*As per claim 2, Goss et al discloses:*

- front end reads a file describing the grammar of the specifications file language (col 2 lines 42-50, col 4, lines 3-20).

*As per claim 3, Goss et al discloses:*

- generator ... from this file (col 3, lines 23-60, col 4, lines 30-33, col 4, lines 55-60, col 5 lines 23-25).

*As per claim 4, Goss et al discloses:*

- template comprises output code ... each node (col 4 lines 30-34, col 18, lines 32-40, col 4 lines 3-30).

*As per claim 5, Goss et al discloses:*

- software elements associated with the nodes are interfaces, variables, constants, operations and logical or mathematical functions (col 4, lines 37-40, col 24, lines 45-50, col 6 lines 22-25, col 4 lines 10-15, col 7 lines 25-27).

## DETAILED ACTION

### *Specification*

1. The abstract of the disclosure is objected to because the abstract should be limited to a single paragraph. Correction is required. See MPEP § 608.01.
2. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

### Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or  
REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.)
- (e) BACKGROUND OF THE INVENTION.
  - (1) Field of the Invention.
  - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (f) BRIEF SUMMARY OF THE INVENTION.
- (g) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (h) DETAILED DESCRIPTION OF THE INVENTION.
- (i) CLAIM OR CLAIMS (commencing on a separate sheet).
- (j) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (k) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

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*As per claim 6, Goss et al discloses:*

- output is a computer language (col 19, lines 11-18).

**Conclusion**

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

TITLE: Business components framework, US 6601233 B1

TITLE: Interface for symbol table construction in a multilanguage optimizing compiler, US 5659753 A

TITLE: Incremental compilation of C++ programs, US 6182281 B1

TITLE: Method and apparatus for building and running workflow process models using a hypertext markup language, US 5930512 A.

TITLE: Method and system for compiling circuit designs, US 6711717 B2

TITLE: A single-pass syntax-directed front end for Ada, author: Baker, ACM, 1982.

TITLE: GEONA – A customizable, Language – and front end independent code analyzer, author: Devanbu, ACM, 1992.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chameli Das whose telephone number is 703-305-1339. The examiner can normally be reached on Monday-Friday from 7:00 A.M. to 3:30 P.M.



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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Tuan Dam can be reached at 703-305-4552. The fax number for this group is: (703) 872-9306.

An inquiry of general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is 703-305-9600.

*Chameli C. Das*

**CHAMELI C. DAS**  
**PRIMARY EXAMINER**

*6/23/04*